

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendments and the following remarks.

Claim Status

Claims 1-13 are pending and have been rejected.

Claims 1, 6, 7, 9, 10 and 12 are herein amended and claims 11 and 13 are canceled without prejudice or disclaimer. Claims 1, 10 and 12 are independent in form. No new matter has been presented.

Information Disclosure Statement

Applicant concurrently files herewith an Information Disclosure Statement (“IDS”). Applicant respectfully requests consideration of the references cited on the accompanying PTO 1449 and that the Examiner indicate such consideration by initialing and returning a copy of the PTO-1449 to Applicant at his earliest convenience.

Claim Rejections under 35 U.S.C. §102(b)

Claims 1-13 have been rejected under 35 USC §102(b) as allegedly being anticipated by Tanitsu et al. (US2002/0085276)(“Tanitsu”).

While Applicant does not agree with the stated rejections, and respectfully traverses said rejections, Applicant has herein amended independent claims 1, 10 and 12 to further clarify the claimed invention and submits that they are patentable over the cited art.

Specifically, the independent claims have been amended to clarify the feature that “the contact-hole pattern aligns with the auxiliary pattern on the mask in longitudinal and transverse directions, and each pole in the quadrupole light intensity distribution separates from the optical axis in the longitudinal and transverse directions.” Such amendment finds support in the specification, e.g., at page 24, lines 14-23 and Figs. 20A-20C.

Tanitsu discloses an illumination-light generating mechanism. Tanitsu, however, does not disclose a relationship between a mask pattern and arrangements of poles in the quadrupole light intensity distribution. Therefore, Tanitsu does not disclose at least that “the contact-hole pattern aligns with the auxiliary pattern on the mask in longitudinal and transverse directions, and each pole in the quadrupole light intensity distribution separates from the optical axis in the longitudinal and transverse directions” as recited in claims 1, 10 and 12.

Therefore, the present invention as recited in each of the independent claims is clearly distinguishable from Tanitsu in at least the respects set forth above and is neither anticipated by nor rendered obvious in view of Tanitsu for at least the reasons stated.

Applicant has not independently addressed the rejections of the dependent claims because these claims directly or indirectly depend from the independent claims which are believed allowable as set forth above, and such dependent claims are believed allowable for at least the same reasons as for the independent claims from which they depend. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

Thus, Applicant respectfully submits that the invention as recited in the claims as presented herein are allowable over the art of record, and respectfully request that the respective rejections and objections be withdrawn.

CONCLUSION

Applicant submits that the application is hereby placed in condition for allowance which action is earnestly solicited.

While no other fees are believed due for this paper or the IDS filed herewith, and the petitioned extension of time is believed sufficient to render this filing timely, should

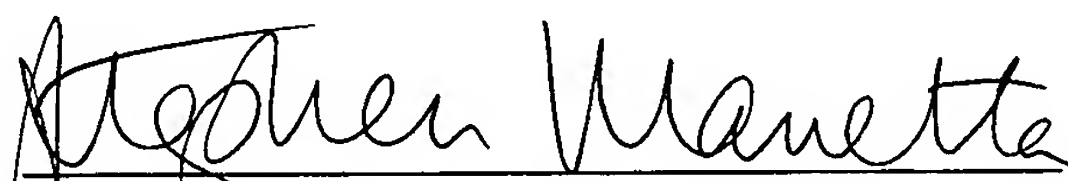
an additional extension be necessary, such is hereby petitioned and the Commissioner is hereby authorized to charge any additional fees which may be due, or credit any overpayment, to Deposit Account No. 13-4500, Order No. 1232-5092.

If any outstanding issues remain, however, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: December 6, 2004

By:


Stephen Manetta
Registration No. 40,426

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile